

Sterne Kessler Goldstein ATTORNEYS AT LAW



Robert Greene Steme Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michele A. Cimbala Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Horner Robert C. Millonig Donald J. Featherstone Timothy J. Shea, Jr Michael V. Messinger Judith U. Kim

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Mita Mukherjee Scott M. Woodhouse

Marsha A. Rose W. Blake Coblentz\* James J. Pohl\* Iohn T Haran\* Mark W. Rygiel

Registered Patent Agents Karen R. Markowicz Matthew J. Dowd Katrina Yuiian Pei Ouach Bryan L. Skelton Robert A. Schwartzman Teresa A. Colella Victoria S. Rutherford Simon J. Elliott Julie A. Heider

Christopher J. Walsh Liliana Di Nola-Baron Peter A. Socarras Jeffrey K. Mills Danielle L. Letting Lori Brandes

Of Counsel Edward J. Kessler Kenneth C. Bass III Marvin C. Guthrie

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April 5, 2006

WRITER'S DIRECT NUMBER: (202) 772-8851 INTERNET ADDRESS: RSCHWART@SKGF.COM

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/668,248; Filed: September 24, 2003

For: Local Anesthetic Methods and Kits

Inventor:

Weber, et al.

Our Ref:

2009.0010005/RWE/RAS

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Third Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- 2. One (1) page of Form PTO/SB/08A citing two (2) documents;
- 3. One (1) page of Form PTO/SB/08B citing one (1) document;
- 4. A copy of the one (1) cited document; and
- 5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents April 5, 2006 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D.

Agent for Applicant Registration No. 50,211

RWE/RAS:law Enclosures

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In re application of:

Weber et al.

Appl. No.: 10/668,248

Filed: September 24, 2003

For: Local Anesthetic Methods and Kits

Confirmation No.: 4290

Art Unit: 1617

Examiner: Sharareh, Shahnam J.

Atty. Docket: 2009.0010005/RWE/RAS

## Third Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on January 11, 2006 in connection with the above-captioned application. A copy of document AT3 is submitted herewith. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents US1-US2, cited on the attached Form PTO/SB/08A are not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

Weber *et al.* Appl. No. 10/668,248

- 2 -

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D.

Agent for Applicants Registration No. 50,211

Date: April 5, 2006

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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PTO/SB/08A (08-03)

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Complete if Known

Substitute for form 1449/PTO Complete if Known **Application Number** 10/668,248 THIRD SUPPLEMENTAL Filing Date September 24, 2003 Eckard Weber First Named Inventor INFORMATION DISCLOSURE Art Unit 1617 STATEMENT BY APPLICANT **Examiner Name** Sharareh, Shahnam J. 2009.0010005/RWE/RAS of Attorney Docket Number Sheet

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.1	Document Number Number-Kind Code <sup>2 (If Known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Pages, Columns, Lines
	US1	4,508,715	04/02/1985	Booth et al.	
_	US2	6,872,390 B2	03/29/2005	Weber et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Relevant Pages,	
Initials*	No.1	Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup>	MM-DD-YYYY	Applicant of Cited Document	Columns, Lines	T <sup>6</sup>
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (07-05)

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Attorney Docket Number

**Examiner Name** 

(Use as many sheets as necessary)

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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	АТ3	Crawford, R.A., et al., "The response of feline spinal pial arterioles to norepinephrine," J. Neurosurg. 52:60-63, American Association of Neurological Surgeons (1990)	-:
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